

## H-3111-1 - OVER-THE-COUNTER OFFERS

II. Description of Lands in OfferA. Public Domain

This section provides guidelines for checking the proper description of lands in noncompetitive over-the-counter lease offers.

1. Surveyed Lands. If the lands have been surveyed under the rectangular system of the public land surveys, they must be described by legal subdivision, section, township, range, and meridian. Lands not so surveyed must be described in the manner set forth in 43 CFR 3111.2-1(b).

2. Protracted Surveys. Where protracted surveys have been approved and the effective date thereof published in the Federal Register, all offers to lease lands shown on such protracted surveys, filed on or after such effective date, shall describe the lands by legal subdivision, section, township, range, and meridian.

3. Conforming Land Descriptions. Where unsurveyed lands covered by pending offers are surveyed prior to lease issuance, the description of such lands will be conformed to the approved protracted or public land survey, whichever is appropriate. Likewise, the description of lands in an existing lease will be conformed to a subsequent resurvey or amended protraction survey, as may be appropriate.

4. Lands in Lakebeds and Riverbeds. Such lands are available for leasing if the waters were determined to have been nonnavigable at the time of admission of the State to the Union, and the United States is the owner of the abutting uplands, or the lands were patented with a reservation of the oil and gas to the United States. The lands must be described by metes and bounds in the same manner as other unsurveyed lands (see 43 CFR 3111.2-1(b)).

5. Conversion of Unpatented Oil Placer Mining Claims. A petition for a lease under 43 CFR 3108.2-4 must conform to the requirements of 43 CFR 3111.2 by specifying the proper description of the lands involved in the abandoned unpatented oil placer mining claim.

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B. Acquired Lands

1. Surveyed Lands. If the lands have been surveyed under the rectangular system of public surveys, the lands must be described by legal subdivision, section, township, range, and meridian. Where the description cannot be conformed to public land surveys, any boundaries which do not so conform shall be described by metes and bounds giving courses and distances between the successive angle points with appropriate ties to the nearest existing official survey corner. If not so surveyed but within the area of public land surveys, the lands shall be described by metes and bounds, giving courses and distances between the successive angle points on the boundary of the tract, and connected with a reasonably nearby corner of these surveys by courses and distances.

2. Unsurveyed Lands. If the lands have not been surveyed under the rectangular system of public land surveys, they shall be described as in the deed or other document by which the U.S. acquired title to the lands or minerals. The acreage in some tracts acquired by the U.S. may be larger than that permitted to be included in single leases, or the minerals in the entire tract may not be available for leasing. In that event, the land must be described by courses and distances between successive angle points on its boundary tying by course and distance into the description in the deed or other document by which the U.S. acquired title to the land.

3. Acquisition Tract Number. If an acquiring agency has assigned an acquisition tract number, a description by such tract number shall be required in addition to the description otherwise required of surveyed lands and in lieu of the description otherwise required of unsurveyed lands. Once rejected, an offer lacking tract numbers cannot be cured. A new offer must be filed.

4. Map Required. Offers submitted under items 2 and 3 above shall be accompanied by three copies of a map upon which the desired lands are clearly marked showing their location with respect to the administrative unit or project of which they are a part.

5. Accreted Lands. The description of lands by legal subdivisions, including lots, does not include any land which may have accreted to such legal subdivision or lot. The accreted land shall be described by metes and bounds, giving courses and distances between the successive angle points on the boundary of the tract and connected by courses and distances to an angle point on the perimeter of the tract to which the accretion appertains.

6. Conflicting Descriptions. If the original and two copies of the offer are not identical, the copy showing the date and time of receipt shall be the controlling copy.